

PROB 12B
(7/93)

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 06, 2023

SEAN F. MCAVOY, CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Christopher Ray Myers Case Number: 0980 2:15CR00045-TOR-1
Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. Circuit Court Judge
Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge
Date of Original Sentence: August 18, 2017 Type of Supervision: Supervised Release
Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g)(1) Date Supervision Commenced: August 11, 2023
Original Sentence: Prison - 77 Months; Date Supervision Expires: September 10, 2025
TSR - 36 Months
Resentence: Prison - 1,245 Days;
(July 28, 2020) TSR - 36 Months
Revocation Sentence: Prison - 30 Days;
(November 9, 2021) TSR - 35 Months
Revocation Sentence: Prison - 10 Months;
(December 15, 2022) TSR - 25 Months

PETITIONING THE COURT

To **ADD** the condition of supervision as follows:

- 7 You must participate in an inpatient substance abuse treatment program and any recommended aftercare. You must follow the rules and regulations of the treatment program. The probation officer will supervise your participation in the program (provider, location, modality, intensity, etc.). You must pay the costs of the program if financially able.

CAUSE

As the Court likely recalls, Mr. Christopher Myers began his current term of supervised release on August 11, 2023, following two previously imposed revocation sentences. Mr. Myers initially seemed to progress, maintaining stability in the community despite homelessness, and becoming engaged in both outpatient chemical dependency and mental health treatment services as directed, in addition to securing full-time employment and eventually stable housing. On October 23, 2023, a petition for no action was filed with the Court, outlining the client's admitted use of heroin. In response to the admitted conduct, Mr. Myers took the initiative to seek out counseling services on his own accord, entering into detox placement. On October 18, 2023, the undersigned officer met with the client at the Spokane Regional Stabilization Center where he enrolled in services effective October 17, 2023. Mr. Myers subsequently transitioned into inpatient treatment services at Sun Ray Court on October 23, 2023.

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On October 30, 2023, the undersigned officer was made aware by staff at Sun Ray Court that the client had relapsed on methamphetamine, occurring on Sunday, October 29, 2023, while engaged in services with the provider. To further understand the full scope of circumstances, the undersigned officer initially spoke with Mr. Myers telephonically on October 30, 2023, and then met in person with him and his assigned counselor at Sun Ray Court on November 2, 2023. Mr. Myers sought to describe a number of past and traumatic events that he had identified and confronted while in treatment to further his sobriety. Mr. Myers also described how these events had left him vulnerable to relapse and how when approached by another resident on break who offered him methamphetamine, he succumbed to weakness and relapsed. Mr. Myers further sought to explain how this relapse had strengthened his resolve in treatment. In response to relapse, Mr. Myers wrote an 8-page appeal discharge letter to the facility, describing the events that took place on the day of his relapse, as well as describing his resolve and commitment to remaining in services moving forward. The letter was well written and both outlines Mr. Myers' described moment of weakness within services, as well as his established plan of action moving forward. Mr. Myers further described how sobriety serves as his foundation for any success moving forward and the impact that his actions have had on others, most notably his children.

Mr. Myers states that he again took action in response to relapse, to include doing more for others within his current treatment program, becoming enrolled in a program of medically assisted treatment facilitated by Spokane Regional Health, and recommitting to his sobriety. Further, Mr. Myers requests that he be screened for the Sobriety Treatment and Education Program (STEP) upon adjudication of this matter, and he has committed to a modification of conditions to include a condition requiring that he complete inpatient treatment services, although he reaffirmed that he is not completing the program for the Court, but because this is something he needs to do for himself. Mr. Myers' counselor has stated that other than his conduct as outlined, he has made positive progress while in services and is addressing past trauma that he has in the past attempted to ignore. Further, the counselor advised that due to the content of his appeal letter he will be allowed to remain in services, despite relapse.

As a result of the facts for Court consideration as outlined herein, and in furtherance of Mr. Myers' stated objective of completing inpatient treatment services, a modification of conditions is now sought in this case. Mr. Myers is in agreement with the proposed modification as evident by the attached and signed waiver of hearing to modify conditions form.

Should the Court have any questions as to the proposed modification, please contact the undersigned officer.

Respectfully submitted,

by s/Chris Heinen

Chris Heinen
U.S. Probation Officer
Date: November 6, 2023

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

A handwritten signature in blue ink that reads "Thomas O. Rice". The signature is fluid and cursive, with the first name "Thomas" being larger and more prominent than the last name "Rice".

Thomas O. Rice
United States District Judge

November 6, 2023

Date